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PTO/SB/01 (12-97)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted with Initial Filing      OR       Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	OMRF 178
First Named Inventor	Brian Lee Sauer
<b><i>COMPLETE IF KNOWN</i></b>	
Application Number	09 / 544,045
Filing Date	April 6, 2000
Group Art Unit	
Examiner Name	

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

# METHOD FOR SELECTING RECOMBINASE VARIANTS WITH ALTERED SPECIFICITY

the specification of which

*(Title of the Invention)*

is attached hereto

OR

was filed on (MM/DD/YYYY) 04/06/2000 as United States Application Number or PCT International

Application Number 09/544,045 and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Whereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.	
Application Number(s)	Filing Date (MM/DD/YYYY)
60/127,977	04/06/1999
	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

OMRF 178

20487/247

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number  →  Place Customer Number Bar Code Label here  
**OR**

Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Patrea L. Pabst	31,284		
Robert A. Hodges	41,074		
Kevin W. King	42,737		

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to:  Customer Number  OR  Correspondence address below

Name	Patrea L. Pabst			
Address	Arnall Golden & Gregory, LLP			
Address	2800 One Atlantic Center, 1201 West Peachtree Street			
City	Atlanta	State	GA	ZIP 30309-3450
Country	United States	Telephone	(404) 873-8794	Fax (404) 873-8795

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle if any)			Family Name or Surname			
Brian Lee			Sauer			
Inventor's Signature	<i>Brian Lee Sauer</i>					Date 5/4/00
Residence: City	Oklahoma City	State	OK	Country	USA	Citizenship US
Post Office Address	601 Robert S. Kerr Avenue, Apt. 109					
Post Office Address						
City	Oklahoma City	State	OK	ZIP	73102	Country USA

Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

## METHOD FOR SELECTING RECOMBINED VARIANTS WITH ALTERED SPECIFICITY

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PTO/SB/02A (3-97)

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<b>DECLARATION</b>		<b>ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>1</u></b>
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<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Andreas Walter		Rufer					
Inventor's Signature	<i>Andreas Rufer</i>					Date	S/100
Residence: City	Oklahoma City	State	OK	Country	USA	Citizenship	DE
Post Office Address	125 N.W. 15th Street, Apt. #604						
Post Office Address							
City	Oklahoma City	State	OK	ZIP	73103	Country	USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name or Surname					
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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<b>STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) &amp; 1.27(d))--NONPROFIT ORGANIZATION</b>	Docket Number (Optional) <b>OMRF 178</b>
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Applicant, Patentee, or Identifier: Brian Lee Sauer and Andreas Walter RuferApplication or Patent No.: 09/544,045Filed or Issued: April 6, 2000**Title: METHOD FOR SELECTING RECOMBINASE VARIANTS WITH ALTERED  
SPECIFICITY**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Oklahoma Medical Research FoundationADDRESS OF NONPROFIT ORGANIZATION 825 N.E. 13th Street  
Oklahoma City, Oklahoma 73104

## TYPE OF NONPROFIT ORGANIZATION:

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE Oklahoma)  
(CITATION OF STATUTE Okl. Stat. 18-863, et seq.)
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED  
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- the specification filed herewith with title as listed above.  
 the application identified above.  
 the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.  
 each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Mike D. MorganTITLE IN ORGANIZATION OF PERSON SIGNING Vice President, Business AffairsADDRESS OF PERSON SIGNING 825 NE 13, Oklahoma City OK 73104SIGNATURE Mike D. Morgan DATE May 4, 2000

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OMRF 178

20487/247

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Brian Lee Sauer and Andreas Walter RuferApplication No./Patent No.: 09/544,045 Filed/Issue Date: April 6, 2000Entitled: METHOD FOR SELECTING RECOMBINASE VARIANTS WITH ALTERED SPECIFICITY

Oklahoma Medical Research Foundation, a Corporation

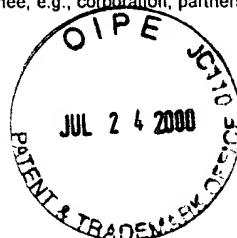
(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:



- A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

May 4, 2000

Date

Signature

Mike D. Morgan

Typed or printed name

Vice President, Business Affairs

Title

## ASSIGNMENT

We, Brian Lee Sauer of 601 Robert S. Kerr Avenue, Apt. 109, Oklahoma City, Oklahoma 73102, and Andreas Walter Rüfer of 125 N.W. 15th Street, Apt. #604, Oklahoma City, Oklahoma 73103, in consideration of ten dollars and other valuable consideration paid to us by Oklahoma Medical Research Foundation, a corporation of the State of Oklahoma, having its principal place of business at 825 N.E. 13th Street, Oklahoma City, Oklahoma 73104, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Oklahoma Medical Research Foundation, its successors and assigns, the entire interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*Method for Selecting Recombinase Variants with Altered Specificity*" described in U.S. Serial No. 09/544,045 filed in the United States Patent and Trademark Office on April 6, 2000, by Brian Lee Sauer and Andreas Walter Rüfer, which claims priority to U.S. Provisional Application Serial No. 60/127,977 filed in the United States Patent and Trademark Office on April 6, 1999, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation, and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

Title: "Method for Selecting Recombinase Variants with Altered Specificity"

By: Brian Lee Sauer and Andreas Walter Rüfer

Filed: April 6, 2000

ASSIGNMENT

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand and seal this 4<sup>th</sup> day of May, 2000.

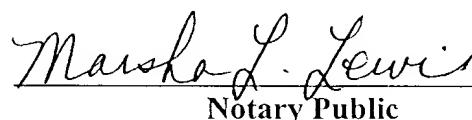


Brian Lee Sauer

State of Oklahoma )

County of Oklahoma)

Then personally appeared the above named Brian Lee Sauer and acknowledged the foregoing instrument to be his free act and deed, before me this 4 day of May, 2000.



Marsha L. Lewis  
Notary Public

My Commission expires: 11-24-2001

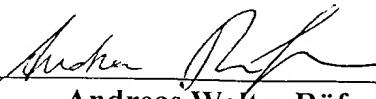
Title: "Method for Selecting Recombinase Variants with Altered Specificity"

By: Brian Lee Sauer and Andreas Walter Rüfer

Filed: April 6, 2000

ASSIGNMENT

WITNESS my hand and seal this 4<sup>th</sup> day of MAY, 2000.



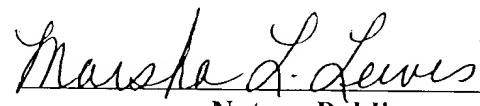
Andreas Walter Rüfer

State of Oklahoma )

County of Oklahoma )

Then personally appeared the above named Andreas Walter Rüfer and  
acknowledged the foregoing instrument to be his free act and deed, before me this

4 day of May, 2000.



Marsha L. Lewis  
Notary Public

My Commission expires: 11-24-2001